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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/762,232
Filing Date	August 4, 1999
First Named Inventor	Lorraine Mignault
Art Unit	1617
Examiner Name	Michael A. Willis
Attorney Docket Number	82223-202

#14
AKO
11/29/02**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR §1.114**a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on _____

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Replyiii. ☐ Information Disclosure Statement (IDS)ii. ☒ Affidavit(s)/Declaration(s)iv. ☐ Other _____2. **Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)b. ☐ Other _____3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0310i. ☒ RCE fee required under 37 CFR §1.17(e) 11/12/2002 AMONDAF1 00000010 09762232ii. ☐ Extension of time fee (37 CFR §§1.136 and 1.17) 01 FC:2801

370.00 OP

iii. ☒ Other 7 independent claims 02 FC:2201

168.00 OP

b. ☒ Check in the amount of \$ 538.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)

Michael R. Williams

Registration No. (Attorney / Agent)

45,333

Signature

Date

November 7, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

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Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



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ATTORNEY DOCKET NO: 82208-202

EXAMINER Michael A. Willis
ART GROUP 1617
APPLICANT Lorraine Mignault
SERIAL NO: 09/762,232
FILED August 4, 1999
FOR Topical Lotion Containing Oatstraw

Commissioner of Patents
Washington, D.C., 20231
U.S.A.

Dear Sir:

Responsive to the Notice of Action dated August 8, 2002,

In the Claims

Claims 1-9, 17-22, 24 and 25 stand of record in the case.

Claims 1-9, 17-22, 24 and 25 stand rejected.

Please enter new claims pages 12 to 14.

Explanation of Amendments in the Claims:

1. (amended) A topical lotion for relieving pain, swelling or inflammation comprising: glycerine; lavender oil; and the active ingredient consisting of oatstraw extract, said oatstraw extract prepared by steeping oatstraw in heated water [heated until hot and tiny bubbles have formed].

2. The topical lotion according to claim 1 wherein the water is filtered and magnetized water.

✓
Cancel claims 3 and 4.

5. (amended) The topical lotion according to claim [4] 1 wherein the glycerine is vegetable glycerine.

6. (amended) The topical lotion according to claim [4] 1 wherein the topical lotion consists essentially of:

at least 50% oatstraw extract;